IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5765 OF 2005

Smt. Kamlavati Chaturbhui Kela and Ors. ... Petitioners

Versus

The Municipal Corproation of City of Nashik and Ors. ... Respondents

Mr. G.S. Godbole for Petitoners.

Mrs. M.P. Thakur, A.G.P. for Respondent Nos. 4 and 5.

Mr. R.V. More for Respondent No. 3.

CORAM : F.I. REBELLO &
MRS R.S. DALVI**.JJ.**
DATED : DECEMBER 07, 2005

P.C.

. Rule. Heard forthwith.

. In an another petition being Writ Petition No. 3807 of 2005 similar issue arose. Minutes of order were produced and order was passed in terms of the Minutes. Considering that, the present petition can be disposed of by issuing the following directions :

1. The impugned order passed by the Respondent No.

2 cancelling the approval of tentative layout is passed violating principles of natural justice. Therefore, same is quashed and set aside.

2. The Respondent No. 1 Corporation is at liberty to proceed in accordance with law after following principle of natural justice.

3. This order is passed without prejudice to rights and interests of the parties and all the contentions are kept expressly open.

4. The writ petition is disposed of in above terms. No order as to costs.

5. The entire exercise be completed within eight weeks from today.

(F.I. REBELLO,J.)

(MRS. R.S. DALVI,J.)